

US EPA ARCHIVE DOCUMENT

## Status of EPA Nominations

The following table outlines EPA's initial response to the regulatory reform nominations, whether or not EPA considers our response complete, and any milestones with estimated or actual dates of completion. Please note that "considering comment" is not a guarantee EPA will implement all of the commenter's suggestions and "no action necessary" means EPA had either previously addressed the commenter's concerns or disagreed with the suggestions. Also:

- Actions in **bold** were nominated for reform in both 2002 and 2001 and had been categorized as "high priority" by OMB in 2001.
- Actions in *italics* were nominated for reform in both 2002 and 2001.
- All other actions were nominated in 2002 unless otherwise noted.

### Categorizations:

- "Response Complete" - those nominations for which the Agency took the comments raised by nominations into consideration when taking action, those for which the Agency had previously addressed/considered the commenter's suggestions, and those where the Agency seriously considered the comment, but nevertheless disagreed with the commenter's recommendation.
- "Initiated Reform" - actions are underway via notice-and-comment rulemaking, peer review, and other Agency processes designed to ensure the final product is based on high quality and timely information.
- "Continuous Improvement" - these actions are part of ongoing Agency programs that are continually improved.
- "Under Consideration" - the Agency is still considering the best approach to address outstanding issues related to the action.

Title	Initial Reaction/Complete?	Milestone w/ Estimated or Actual Dates of Completion
<b>Response Complete (44 nominations)</b>		
<i>Motor Vehicle Emission Standards for Greenhouse Gases</i>	<i>Considering Comment/Complete</i>	<i>Notice of Denial of Petition published September 8, 2003</i>
EPA Index of Applicability Decisions	Considering Comment/Complete	FR Notice published February 13, 2003
Protections for Farm Children from Pesticide Exposures	Considering Comment/Complete	Litigation is ongoing but EPA considers response to comment complete
Storage for Reuse	Considering Comment/Complete	FR notice published September 7, 2004
Submetering Water Systems	Considering Comment/Complete	Final policy memorandum signed on December 16, 2003
PCB Spill Cleanup Policy	Considering Comment/Complete	Completed internal review, no further action planned
Spill Prevention Plans	Considering Comment/Complete	Final rule published on April 17, 2003 extending compliance dates and outreach
<b>New Source Review</b>	<b>Considering Comment/Complete</b>	<b>Final rules published on November 7, 2003 and October 27, 2003. Stay granted December 24, 2003.</b>
Guidance: New Source Review	Considering Comment/Complete	Final rule published on October 27, 2003.
<i>Definition of Solid Waste</i>	<i>Considering Comment/Complete</i>	<i>NPRM published on October 28, 2003</i>
<b>RCRA Subtitle C Hazardous Waste Regs</b>	<b>Considering Comment/Complete</b>	<b>Conducted internal and external stakeholder meetings. Performance Track rule published April 14, 2004 focused on extension of hazardous waste accumulation time</b>

<b>Title</b>	<b>Initial Reaction/Complete?</b>	<b>Milestone w/ Estimated or Actual Dates of Completion</b>
Chemical Plant Safety Standards	Considering Comment/Complete	EPA plans to review the RMP database after RMP submissions and updates are received (ongoing) and will prepare findings in early 2005.
Stormwater Construction General Permit	Considering Comment/Complete	Final rule published July 1, 2003
Drinking Water Standards for Emerging Contaminants	Considering Comment/Complete	Final notice published July 18, 2003
<i>Heavy-Duty Engines and Highway Diesel Fuel Sulfur</i>	<i>No action necessary/Complete</i>	<i>Final rule published on January 18, 2001</i>
Protection from Pollution from Diesel Engines	No action necessary/Complete	Final rule published on January 18, 2001
<i>Tier 2 Motor Vehicle Emission Standards</i>	<i>No action necessary/Complete</i>	<i>Final rule published on February 10, 2000</i>
<b>Guidance: Improving Air Quality/Economic Incentive Program</b>	<b>No action necessary/Complete</b>	<b>Guidance issued January 19, 2001</b>
<i>Worst-Case Scenario</i>	<i>No action necessary/Complete</i>	<i>Final rule published August 04, 2000</i>
<b>Arsenic in Drinking Water</b>	<b>No action necessary/Complete</b>	<b>Final rule was effective May 22, 2001</b>
<b>Concentrated Animal Feeding Operations</b>	<b>No action necessary/Complete</b>	<b>Final rule published February 12, 2003. Guidance published November 3, 2003</b>
Effluent Guidelines for Metal Parts and Machinery	No action necessary/Complete	Final rule published May 15, 2003

Title	Initial Reaction/Complete?	Milestone w/ Estimated or Actual Dates of Completion
Guidance: Clean Water Act Jurisdiction	No action necessary/Complete	ANPRM published January 15, 2003
Risk Assessment for Rodenticides	No action necessary/Complete	Released preliminary comparative ecological assessment in January 2003
Ban on Chromated Copper Arsenate	No action necessary/Complete	Granted cancellation on March 17, 2003
Investigating Title VI Administrative Complaints	No action necessary	
Improving Air Quality Through Land Use Activities	No action necessary	
Superfund Indirect Costs	No action necessary	
<i>TRI: Lowering Reporting Thresholds for PBT Chemicals</i>	<i>No action necessary</i>	
TRI Lead Reporting	No action necessary	
Collection of Health Screening Data	No action necessary	
Food Quality Protection Act Policy Papers	No action necessary	
Pesticide Registration Notices	No action necessary	
RCRA Spent Catalyst Policy	No action necessary	
NPDES and Sewage Sludge Monitoring Reports	No action necessary	
Stormwater Phase I	No action necessary	

Title	Initial Reaction/Complete?	Milestone w/ Estimated or Actual Dates of Completion
Stormwater Phase II	No action necessary	
Drinking Water Standards for Radionuclides	No action necessary	
Definition of Fill Material	No action necessary	
Ecoregional Nutrient Criteria Documents	No action necessary	
Withdrawal of State Delegations	No action necessary	
High Production Volume (HPV) Chemical-Testing Program Voluntary Children's Chemical Evaluation Program Endocrine Disruptor Screening Program (2001)	No action necessary	
Importation for Special Classes of Merchandise (2001)	No action necessary	
Filter Backwash Recycling Rule (2001)	No action necessary	
<b>Initiated Reform (18 nominations)</b>		
Notification of Substantial Risk (TSCA) - (2001)	Considering Comment	EPA has established a new TSCA 8(e) web page that contains guidance, previous 8(e) submissions, and new submissions posted within two weeks of receipt. EPA is also working on a package that would make policy clarifications.

<b>Title</b>	<b>Initial Reaction/Complete?</b>	<b>Milestone w/ Estimated or Actual Dates of Completion</b>
Regulatory Reform for Handling Refrigerants	Considering Comment	Administrator's signature on NPRM for "Split System" expected December 2004
"Once In, Always In" Policy	Considering Comment	Administrator's signature expected February 2005
<i>Economic Benefit of Noncompliance in Civil Penalty Cases</i>	<i>Considering Comment</i>	<i>FR Notice expected November 2004</i>
TRI Alternate Reporting Threshold (Form A)	Considering Comment	Two part proposed rule under development; first (quick fixes) to be published December, 2004; second (more complex issues) August, 2005
TRI Lead	Considering Comment	Final rule was promulgated January 2001. Will consider revisions based on completion of Metals Framework
TRI Form R Reporting	Considering Comment	Changed Form R (for RY2003) to break out on-site and off-site disposal. Additional Form R changes are being considered in Burden Reduction Initiative (see dates above)
TRI Reporting Forms and Instructions	Considering Comment	Being considered in context of Burden Reduction Initiative (see above)
TRI Reporting Questions and Answers	Considering Comment	Q&A's currently at OMB for review. Will published once released.
Waterborne Diseases	Considering Comment	Draft Report expected early 2005
Site-Specific Risk Assessments in RCRA	Considering Comment	Final rule expected June 2005

<b>Title</b>	<b>Initial Reaction/Complete?</b>	<b>Milestone w/ Estimated or Actual Dates of Completion</b>
<i>Best Available Retrofit Technology</i>	<i>Considering Comment</i>	<i>SNPRM published May 5, 2004. Final rule expected April 2005</i>
<i>1997 EPA Standards for Ozone and Particulate Matter</i>	<i>Considering Comment</i>	<i>Final Rule Phase II expected December 2004. Final Rule for PM2.5 Implementation expect June 2005</i>
Guidance: Cancer Risk Assessment	Considering Comment	Final guidelines expected December 2004
RCRA Burden Reduction Initiative	Considering Comment	Final rule expected August 2005
<i>Groundwater Rule</i>	<i>Considering Comment</i>	<i>Final rule expected April 2005</i>
Disinfection Byproduct Rule	Considering Comment	Final rule expected July 2005
<b>Guidance on Drinking Water Affordability</b>	<b>Considering Comment</b>	<b>Proposal expected May 2005</b>
<b>Continuous Improvement (3 nominations)</b>		
Integrated Risk Information System	Considering Comment	EPA continues to complete review of assessments and add to IRIS database
<b>Total Maximum Daily Load</b>	<b>Considering Comment</b>	<b>Further discussion required</b>
Sanitary Sewer Overflows	Considering Comment	Report to Congress signed August 6, 2004. Final rule expected November 2007
<b>Under Consideration (5 nominations)</b>		
Definition of Volatile Organic Compound	Considering Comment	Administrator's signature on ANPRM expected December 2004

<b>Title</b>	<b>Initial Reaction/Complete?</b>	<b>Milestone w/ Estimated or Actual Dates of Completion</b>
<i>Export Notification Requirements</i>	<i>Considering Comment</i>	<i>Legislation is still pending. Will revisit status of legislation with the renewal of the ICR in 2006, which actually begins in early 2005.</i>
RCRA Cement Kiln Dust	Considering Comment	Considering publication of NODA by June 2005. Final rule expected October 2006
Radon in Drinking Water	Considering Comment	Final rule expected December 2005
Removal Credits for POTWs	Considering Comment	Further discussion required